

1
2
3
4
5 In re. ISAAC KELLEY,
6 Plaintiff.

7
8 No. C 09-2462 SI (pr)

9 **ORDER OF DISMISSAL**

10
11 This action was opened on June 3, 2009, when the court received from Isaac Kelley a
12 letter with some exhibits (including a state court denying a habeas petition) attached. On that
13 date, the court notified plaintiff in writing that his action was deficient in that he had not attached
14 a complaint or petition and had not filed an in forma pauperis application. The court further
15 notified plaintiff that this action would be dismissed if he did not submit a complaint or petition
16 within thirty days. Plaintiff has failed to provide the court with either a complaint or petition and
17 the deadline to do so has passed. Accordingly, this action is DISMISSED without prejudice for
18 failure to submit a pleading showing the court has subject matter jurisdiction. The clerk shall
19 close the file.

20 IT IS SO ORDERED.

21 Dated: October 20, 2009

22
23
24
25
26
27
28

SUSAN ILLSTON
United States District Judge